

October 1, 2014

Dear Michigan House Criminal Justice Committee members:

Thank you for this allowing me this time to present to the committee.

My name is Charmie Gholson, I'm the founder of Michigan Moms United (MMU) and we educate legislators and the media about how the drug war destroys lives and decreases public safety.

We are here to thank Representative McMillin for introducing HB 4914. We formally support this important legislation.

It is urgent our legislators understand the impact SWAT raids have on Michigan's families, especially medical marijuana registry participants, communities of color and the poor, but without a reporting system this is not possible. I have requested from drug task force leaders information that seems common sense to myself and other mothers, such as whether or not children are in the home or impacted negatively by drug raids, and they consistently tell me they do not maintain records of those incidents. I'm not sure if this is true or not, but I ask anyway.

I personally understand the impact these raids have on Michigan families, because I've been interviewing multijurisdictional drug task force raid victims since 2009, compiling information on both the people who are raided, as well as the police agencies who execute the warrants.

Michigan Moms United also generates and delivers to municipal officials, religious and civic groups regional specific reports on how our police spend their time. We give them that information in the form of crime statistics, arrest rates, civil asset forfeiture dollars brought, and federal money in the form of Byrne JAG grant dollars that are used to fund SWAT teams.

With some basic statistical analysis from the Michigan State Police and my interviews over the past 5 years, it's easy to see how the actions of SWAT teams decrease public safety and eviscerate the relationship between communities and police. We are horrified and saddened by what we've learned; it's why I drove here today from Ann Arbor to speak with you.

The one thing each of these families have said to us, verbatim, without prompt is, "I didn't know this could happen in America." And neither did we.

I'm the oldest daughter of a law enforcer. My father was a Washtenaw County Deputy Sheriff and career military man, so I do this work to restore right relations between communities and police. I also am a former staff writer for LEAP, Law Enforcement Against Prohibition.

Our preliminary research shows Michigan's SWAT teams are used almost exclusively to execute warrants in Michigan homes because they suspect someone inside may have illegal drugs, or medical marijuana, as probable cause allows police to continue to investigate, raid and forfeit the property of caregivers and patients who honestly believed they would be protected from police encounters when they registered with the state. This is not, and has not, been the case.

It's abundantly clear these highly militarized teams create danger where none previously existed. The original intended purpose of SWAT is to respond to hostage stand off situations or domestic terror, but they are used in Michigan now almost exclusively to execute warrants for suspected drugs.

In June the ACLU released a report titled, "War Comes Home; The Excessive Militarization of American Policing." The report confirms our findings that SWAT teams most often used to search suspected drug offenders' homes, rather than rescuing hostages or stopping active shooters.

We are now working with a Jeff Frazier, one of the former ACLU attorneys who worked in the Tulia, Texas case; the Law Offices of Michael Komorn and LEAP, Law Enforcement Against Prohibition on a strategy to reduce the use of military equipment and SWAT teams; restrict it to appropriate violent situations; ensure proper training, regulation and oversight of the use of such equipment and reform Michigan's civil asset forfeiture laws. This strategy will utilize both legislative actions and civil litigation.

Michigan Moms United supports HB 4914. We pray it serves as a catalyst for restoration of personal rights, and an increase in actual public safety.

Charmie Gholson, Founder, Michigan Moms United
Jeff Frazier, Counsel
Michael Komorn, Komorn Law Offices

ATTACHMENTS: Included in Michigan Moms United statement in support of HB 4914 is testimonial from Barbara Agro. Mrs. Agro is one of Michigan Moms United's founding members. This testimony was taken in 2011

Hello my name is Barbara Agro. I am a 70 year old Michigan medical marijuana patient. I am a lifelong Michigan resident who has spent my entire working life, as my husband had, working for our community. I worked for Lake Orion schools as a bus driver and also spent 28 years working for Lake Orion police department as a 911 operator. My husband spent 40 years Coaching little league and high school team sports programs that included football, baseball, softball and golf. He became a local legend of sorts. In June of 2010 my husband and I applied and became card holding certified medical marijuana patients by the state of Michigan's recently passed medical marijuana act, me for acute arthritis in my hands and knees and him for bone spurs in both of his shoulders that limited him range of motion to even lift his hands above his waist.

In June of 2010 after receiving our recommendations from a physician we began to grow 20 medical marijuana plants in the basement of our home. It is important to note that neither my husband or I actually smoked marijuana, rather we chose to consume it as edibles as we both found it had longer pain relieving results.

On August 25th 2010 our home, along with multiple others including both of my sons home's, also medical marijuana patients, were raided by masked gun wielding officers from Oakland county Michigan's Narcotic enforcement task force. In this Raid our home was torn into pieces. Mattresses ripped apart, clothing, cabinets emptied, plants ripped from their pots and dirt thrown across rooms and even into our bed. Approximately \$ 11, 270 dollars was taken for our home, money that had been saved and withdrawn to purchase a vehicle. My two sons homes were raided at the same time, where no more than a quarter ounce of marijuana was found at either residences. During the raid of my youngest sons home guns were put in my daughter in laws face and her pets lives were threatened by these Jack booted thugs. A neighbor of my son was brave enough to leave the scene and drive to my home where he informed my husband of the raid. In his frenzied haste my husband grabbed his car keys leaving his wallet and our home unlocked and unsecured. After arriving to my sons residence and checking on his daughter in law and grandchildren to ensure they were protected he returned back home to find his house raided by the same narcotic enforcement detail. He asked for the search warrant. They laughed at him and said he would get it before they left. Upon leaving they threw it in his face. He was scheduled for a total hip replacement 4 days after the raid on his home. The surgery was a success and he began his recovery.

The day of our preliminary examination, September 2nd, while my children and I were traveling to court we received a call from the hospital that my husband and partner of 45 years had passed. Our belief is that it was due to the stress from watching his wife and kids being wrongly prosecuted by and overzealous Prosecutor and Sheriff.

In the preliminary exam and subsequent appearances in front of Oakland County Judges, These officials have decided that my home cannot be considered a locked enclosed space , as dictated by our law, therefore excluding me to utilize the MMA law as my defense. Other judges have also decided that I cannot use the affirmative

defense. This predicament leaves me to be tried as a woman growing marijuana. My attorney and I have been advised that I can not use the words Medical Marijuana, Patient, Caregiver, or elude to the fact that I was licensed by the State of Michigan. I have already watched multiple other jury trials as prosecutors and judges have colluded to withhold this information from juries. I am now reaching out to ask for any help you can provide. My hope is that the press and others can bring this injustice out into the light. Will you help? I fear the next person they will send to the grave is me.